



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

11/29/02

Applicant: Norbert Wolters et al  
Examiner: Nathan Scott Mammen  
Serial No.: 09/751,512 Group Art Unit 3671  
Filed: 22 November 2000 (Atty. Ref. No. 08876-US)  
For: AGRICULTURAL HEADER WITH CHOPPER  
Moline, IL 61265  
6 November 2002

**REVISIONS TO APPLICANT'S APPEAL BRIEF**

The Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231  
Sir:

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NOV 15 2002  
**GROUP 3600**

Applicants Appeal Brief was filed on 20 August 2002. In preparing a related appeal to overcome a final rejection of US Patent Application 09/727,134, filed 30 November 2000, the undersigned identified a mistake in Section 1 Real Party in Interest. In addition the applicant is herein updating the Related Appeals and Interferences section to reflect this related appeal.

**Real Party in Interest**

The real party in interest is Maschinenfabrik Kemper GmbH & Co. KG (hereinafter Kemper) having its principle place of business at Bruel, 48703 Stadthorn, Germany and not Deere & Company. Kemper became the real party in interest by an assignment dated 16 January 2001 and recorded with the Patent Office on 19 March 2001, Reel 011637, Frame 0157. To buttress this point the applicant has attached the recorded assignment. The confusion apparently came about because of an incorrect cover letter accompanying the assignment listing Deere & Company as the assignee which is also attached hereto. This mistake was carried forth by the Assignment Division as evidenced by the attached Notice of Recordation of Assignment Document also attached hereto.

**Related Appeals and Interferences**

The applicant is filing an appeal of the examiner's final rejection of US Patent Application 09/727,134, filed 30 November 2000 having similar issues on

constructing the prior art and claim language.

Any fees or charges due under 37 CFR 1.17(f) or otherwise due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

Respectfully,



Attorney for Applicants

Kevin J. Moriarty  
Reg. No. 31,045  
Deere & Company  
Patent Department  
John Deere Road  
Moline, IL 61265  
(309) 765-4048  
KJM/cw

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail in  
an envelope addressed to: Commissioner of Patents and  
Trademarks, Washington, DC 20231, on 6 Nov 02  
Date

Deere & Company

Cindy Whitacre 6 November 2002  
Signature Date

# ASSIGNMENT

Whereas, the below named inventor(s) has (have) invented certain new and useful improvements in

## AGRICULTURAL HEADER WITH CHOPPER

Filed on 22 November 2000

Serial Number 09/721,512

for which the inventor(s) is (are) about to make application for letters patent of the United States, which application was duly executed on the date(s) indicated below next to each inventor's name;

Whereas, the inventors are employed under the terms of German law by Maschinenfabrik Kemper GmbH & Co KG (hereinafter Kemper) having a principal place of business at Breul, 48703 Stadthorn, Germany. Based on the German law on employee inventions, Kemper laid claim on the invention and became the owner of any rights in it.

Now therefore, in recognition of and confirming the foregoing each inventor has and hereby does assign to Kemper the entire right, title and interest which said inventor has or may have to the invention.

The assigned rights include all rights to file US and foreign patent applications for the Invention described in the name of each inventor or Kemper, as well as any right of priority to any letters patent of the United States or any other country that may be granted for the Invention, and any continuations, divisions or extensions thereof. These assigned rights are to be held and enjoyed by Kemper, its successors or assigns, as fully and entirely as the same would have been held and enjoyed by each inventor had this assignment not been made.

Each inventor agrees to execute all papers which Kemper, its successors or assigns deem expedient in connection with the Application and any continuing, divisional, reissue, reexamination or foreign applications concerning the Invention, and to cooperate with Kemper, its successors or assigns in every proper way possible to obtain patent(s) based on the Application and any continuing, divisional, reissue, reexamination or foreign applications concerning the Invention.

Each inventor hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any letters patent based on the assigned rights to Kemper.

In witness whereof, each inventor has signed below:

Norbert Wolters Date signed application declaration 16.01.2001

Richard Wubbels Date signed application declaration 16.01.2001

Witness Alfons Resing a. Resing Date 16.01.2001

Witness Jens Grobmeier J. Grobmeier Date 16.01.2001



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JUNE 07, 2001

KEVIN J. MORIARTY  
PATENT DEPARTMENT  
ONE JOHN DEERE PLACE  
MOLINE, IL 61265

PTAS  
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JUN 11 2001

**PATENT DEPT.**



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**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/19/2001

REEL/FRAME: 011637/0157  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
WOLTERS, NORBERT

DOC DATE: 01/16/2001

ASSIGNOR:  
WUBBELS, RICHARD

DOC DATE: 01/16/2001

ASSIGNEE:  
DEERE & COMPANY  
ONE JOHN DEERE PLACE  
PATENT DEPARTMENT  
MOLINE, ILLINOIS 61265

SERIAL NUMBER: 09721512  
PATENT NUMBER:

FILING DATE: 11/22/2000  
ISSUE DATE:

STEVEN POST, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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04-04-2001

EET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



To the honorable Commissioner

101668065

Attached original documents or copy thereof.

1. Name of conveying party(ies):  
**Norbert Wolters**  
**Richard Wubbels**

2. Name and address of receiving party(ies):

Name: **Deere & Company**  
Internal Address: **Patent Department**  
**One John Deere Place**  
**Moline, IL 61265**

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

Street Address: **One John Deere Place**  
City: **Moline** State: **Illinois** Zip: **61265**

3. Nature of Conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: **16 January 2001**

Additional name(s) & address(es) attached ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: **16 January 2001**

A. Patent Application No(s).

09/721,512 filed 22 November 2000

B. Patent No(s).

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Kevin J. Moriarty**  
Internal Address: **Patent Department**  
**One John Deere Place**  
**Moline, IL 61265**

Street Address: **Patent Department**  
**One John Deere Place**

City: **Moline** State: **Illinois** Zip: **61265**

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41)..... **\$40.00**

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number: **04-0525**

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9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

**Kevin J. Moriarty**

Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet, attachments and document: **2**

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, DC 20231

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